

**REMARKS**

Claims 1-17 and 30 are pending. By this Amendment, claim 1 is amended and claim 30 is added. No new matter is added. Reconsideration based on the above Amendments and the following remarks is respectfully requested.

Applicant gratefully acknowledges the Office Action indication that claims 2-4, 6, 7 and 17 are allowable.

**I. The Claims Define Allowable Subject Matter**

Claims 1, 10, 11, 15 and 16 are rejected under 35 U.S.C. §102(b) as being unpatentable over U.S. Patent No. 4,838,619 to Ocvirk. This rejection is respectfully traversed.

Claim 1 recites, *inter alia*, the flow rate changing device is operable to control a pressure of the working fluid in the brake cylinder, such that the pressure in the brake cylinder corresponds to the operation of the brake operating member. See paragraph 8 of the invention for support.

The Advisory Action alleges that "element 16 is driven by a brake slip control device ultimately resulting in the changing of the flow rate...from the master cylinder to the brake cylinder. This is basically an anti-lock brake pressure control. See col. 5, lines 64-68 of Ocvirk where it states that modulators 15, 16 are driven by brake slip control to preclude a blocking of the motor vehicle wheels.

While Ocvirk does teach means (23, 36, 37, 39) for changing the pressure of the pressurized fluid to be delivered from the power-operated hydraulic pressure source (34, 35) to the master cylinder 1 (working chambers 4, 5) in the brake slip control, Ocvirk does not teach the flow-rate changing device being operable to control the brake cylinder pressure such that the brake cylinder pressure corresponds to the operation of the brake operating member as now recited in independent claim 1. Instead, Ocvirk teaches that during the brake slip

control, the modulators 15 and 16 are controlled irrespective of the operation of the brake operating member so as to prevent lock blocking of the wheels 17-20. (See column 5, lines 64-68 of Ocvirk.)

Accordingly, the feature of the flow rate changing device being operable to correspond to the pressure in the brake cylinder with the brake operating member of claim 1 is patentably distinct from Ocvirk.

As such, independent claim 1 and claims dependent therefrom define over Ocvirk.

Withdrawal of the rejection is respectfully requested.

**II. New claim 30 is Added**

Claim 30 has been added and is believed to be allowable for its dependency on claim 1 and for the additional features recited therein.

**III. Rejoinder of Withdrawn Claims Requested**

Claims 5, 8, 9, 12, 13 and 14 are currently withdrawn from consideration. However, since these claims depend from allowable claim 1, rejoinder is respectfully requested.

**IV. Conclusion**

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-17 and 30 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO:IRV/dap

Attachment: Petition for Two-Month Extension of Time

Date: November 25, 2003

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